

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

HODELL-NATCO INDUSTRIES, INC.	)	CASE NO. 1:08 CV 2755
	)	
Plaintiff,	)	JUDGE WELLS
	)	
v.	)	
	)	
SAP AMERICA, INC., et al.	)	
	)	
Defendants.	)	
	)	

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**PROPOSED VOIR DIRE OF DEFENDANTS SAP AMERICA, INC. AND SAP AG**

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Defendants SAP America, Inc. and SAP AG respectfully request that the Court propound the following questions during voir dire:

- a. Employment/Background
- i. What is your current occupation? If you are retired or unemployed, what was your last job?
  - ii. Do you work full time or part time?
  - iii. For whom do you work and what are your general duties and responsibilities?
  - iv. Do you currently, or have you ever, owned your own business or been otherwise self-employed? If yes, please explain.
  - v. Do you have any experience with business software, enterprise software, or enterprise resource planning (also known as ERP)? If yes, please explain.
  - vi. Have you ever been employed in the software trade? If yes, please explain.
  - vii. Have you ever been employed in the enterprise software or enterprise resource planning trade? If yes, please explain.
  - viii. Have you ever performed any work or services having anything to do with manufacturing? If yes, please describe.

- ix. Have you ever worked in the fields of economics, accounting, or bookkeeping? If so, please describe.
- x. Is there anything else that we should know about you or your particular past experiences or attitudes but didn't ask about that could influence your opinion in this case? If yes, please explain.

b. Knowledge of Parties

- i. Are you familiar with any of the following companies: Hodell-Natco, Inc.; LSi-Lowery Systems; the IBIS Group; SAP America; or SAP AG? If so, what is your general impression of that (or those) companies?
- ii. Have you, a family member, or anyone close to you ever worked for or retained the services of any of the companies mentioned?
- iii. A list of names of possible witnesses or persons whose names might be mentioned during this trial is listed below – do you or anyone close to you personally know any of these persons?

*[To include names of witnesses whose testimony will be allowed at trial, subject to pending motions in limine and other objections.]*
- iv. Do you or any of your family members or friends know the Honorable Judge Lesley Wells, Attorneys James Koehler, Wesley Lambert, Michael Miller, Gregory Star, Joseph Kelleher, or the law firms of Koehler Neal LLC or Drinker Biddle & Reath LLP?
- v. Do you know or recognize any other prospective jury panelist in the courtroom? If so, what is the basis of the relationship? Would such a relationship or acquaintance influence your judgment in this case?
- vi. Are you aware of whether you, a family member, or anyone close to you have ever used products manufactured by Hodell-Natco?
- vii. Are you aware of whether you, a family member, or anyone close to you have ever used SAP software?
- viii. Are you aware of whether you, a family member, or anyone close to you have ever used software developed or provided by either LSi-Lowery Systems or The IBIS Group?
- ix. Have you ever been involved in a legal or other dispute with a manufacturing company?

- x. Have you ever been involved in a legal or other dispute with a software company?
- xi. Do you have a particular opinion about software companies? If so, please describe.
- xii. Do you have a particular opinion about manufacturing companies? If so please describe.

c. Educational/Training Background

- i. What is your educational background?
- ii. Have you ever studied economics, accounting, finance, or business?
- iii. Have you ever studied law? If so, what type?
- iv. Do you belong to any professional organizations?

d. Knowledge of Contracts, Business Relationships

- i. Do you have any experience signing or negotiating contracts?
- ii. Do you have any experience working as an agent of another party or as a contractor for another party?

e. Prior Litigation

- i. Have you or anyone close to you ever sued, or been sued, in any type of lawsuit? Please describe any such lawsuit.
- ii. Have you, or has any member of your family or a close friend, ever been a witness in a civil or criminal case? If so, please describe.
- iii. Did anything happen in that case that you might take into consideration in this case?
- iv. Will you be able to set that experience aside and decide this case solely based on the evidence you hear in this case and the instructions of the Court?

f. Prior Jury Duty

- i. Have you ever served on a jury before? What kind of case? When and where? Were you the foreperson? What was the verdict?
- ii. Did anything happen in that case that you might take into consideration in this case?

- iii. Will you be able to set that experience aside and decide this case solely based on the evidence you hear in this case and the instructions of the Court?

Respectfully submitted,

/s/ Gregory J. Star

Michael J. Miller (admitted *pro hac vice*)

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*Attorneys for SAP America, Inc. and SAP AG*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 1st day of October, 2014, a copy of the foregoing SAP America, Inc.'s and SAP AG's Objections to Plaintiff's Witness List was filed electronically and that a copy has been sent via electronic mail to Hodell-Natco Industries, Inc. pursuant to Fed. R. Civ. P. 5(b)(2)(E) and via First Class Mail to the following pursuant to Fed. R. Civ. P. 5(b)(2)(F):

**LSI-Lowery Systems, Inc.**  
c/o Timothy K. Kellett  
911 Washington Ave., Suite 400  
St. Louis, MO 63101

**IBIS Group, Inc**  
c/o John T. Grobe  
1749 Naperville Road, Suite 203  
Wheaton, IL 60187

/s/ Gregory J. Star  
Gregory J. Star (admitted *pro hac vice*)